

REMARKS

The specification and claims 1, 2 and 4 have been amended to address matters of form only (i.e. non-substantive amendments), non-elected claims 7-19 have been cancelled without prejudice, and claims 20-23 have been added. No new matter has been added by virtue of the amendments. For instance, support for the new claims appears e.g. at page 18 of the application.

Claims 1, 4-9 and 13 were rejected under 35 U.S.C. 102 over Thackeray (U.S. Patent 6,165,697). The rejection is traversed.

Applicants claim an antireflective coating composition for use with an overcoated photoresist composition that comprises in combination:

- 1) an acid or thermal acid generator and 2) a photoacid generator compound.

Applications have found that such compositions are highly effective. The acid or thermal acid generator can function, *inter alia*, to promote crosslinking of the antireflective composition prior to application of an overcoated photoresist. The additional photoacid generator compound can function during exposure of overcoated resist layer to avoid problematic acid loss from the resist layer and thereby enhance resolution of the image patterned in the resist layer. Such enhanced results are discussed at pages 5-6 of the application and demonstrated in the comparative examples at pages 31-35 of the application.

The cited commonly assigned Thackeray patent is distinct. The Thackeray patent does not disclose antireflective compositions that contain in combination 1) an acid or thermal acid generator and 2) a photoacid generator compound. Rather, the only disclosure appearing in the cited Thackeray patent relating to use of a photoacid generator in an underlying antireflective composition layer is for activation of such photoacid generator prior to overcoating with a photoresist.

That is, in the cited Thackeray patent, a photoacid generator is disclosed for use in place of an acid or thermal acid generator, *whereas* Applicants' present claims call for use of a photoacid generator **in combination with** an acid or thermal acid generator compound.

In this regard, attention is directed to column 6 and the examples of the cited Thackeray patent.

In view thereof, reconsideration and withdrawal of the rejection are requested. See *In re Marshall*, 198 USPQ 344, 346 (CCPA 1978) (“[r]ejections under 35 U.S.C. §102 are proper only when the claimed subject matter is identically disclosed or described in the prior art.”).

Claims 7-13 were rejected for double patenting over U.S. Patent 5939236.

Claims 7-13 have been cancelled herein without prejudice. It is thus believed the rejection is properly withdrawn.

Claims 1 and 4-8 were rejected under the doctrine of obviousness-type double patenting over certain claims of U.S. Patent 6261742. The rejection is traversed.

It is believed that U.S. Patent 6261743 was the intended citation and the rejection is responded to accordingly.

The present application is a divisional application of the cited patent. The cited patent contains method claims, which were restricted from the present claims in paper no. 3 dated April 7, 2003 of this application. Accordingly, the cited patent is not available to sustain the instant rejection. See Section 804 of the Manual of Patent Examining Procedure.

In view thereof, reconsideration and withdrawal of the rejection are requested.

Claims 1, 5, 7 and 8 were rejected under the doctrine of obviousness-type double patenting over claim 5 of U.S. Patent 6410209. The rejection is traversed.

The cited claim 5 does not disclose an acid or thermal acid generator in combination with a photoacid generator as recited in Applicants' claim. In view thereof, withdrawal of the rejection is requested.

Claims 1, 5, 7 and 8 were provisionally rejected under the doctrine of obviousness-type double patenting over certain claims of U.S. patent application 09/918399. The provisional rejection is traversed.

Based on the above discussions, where it is submitted that all prior rejections are properly withdrawn, it is believed that the instant provisional rejection also should be withdrawn. See, Section 804 of the Manual of Patent Examining Procedure, which states in part:

If the "provisional" double patenting rejection in one application is the only rejection remaining in that application, the examiner should then withdraw that rejection and permit the application to issue as a patent, thereby converting the "provisional" double patenting rejection in the other application(s) into a double patenting rejection at the time the one application issues as patent.

Withdrawal of the provisional rejection is requested.

It is believed the application is in condition for immediate allowance, which action is earnestly solicited.

U.S. Serial No.: 09/904,587

Applicant: Pavelchek et al.

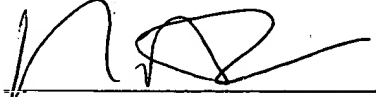
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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter F. Corless', written over a horizontal line.

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